

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 898 of 1997

in

SPECIAL CIVIL APPLICATION No 10808 of 1996

For Approval and Signature:

Hon'ble THE ACT.C.J. MR K.G.BALAKRISHNAN and  
MR.JUSTICE J.M.PANCHAL

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1. Whether Reporters of Local Papers may be allowed  
to see the judgements? No

2. To be referred to the Reporter or not? No @

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3. Whether Their Lordships wish to see the fair copy  
of the judgement? No

4. Whether this case involves a substantial question  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?  
No

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DURLABHBHAI RANCHHPDBHAI PATEL

Versus

GUJARAT STATE ROAD TRANSPORT CORPORATION  
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Appearance:

MR HK RATHOD for Appellant

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CORAM : THE ACT.C.J. MR K.G.BALAKRISHNAN and  
MR.JUSTICE J.M.PANCHAL

Date of decision: 19/06/98

ORAL JUDGMENT: (Per: K.G.Balakrishnan, Actg. C.J.):

This is an appeal against the judgment of the learned single Judge in Special Civil Application No.10808 of 1996. The appellant is a Conductor of Gujarat State Road Transport Corporation. In the year 1987, disciplinary proceedings were initiated against him alleging that he failed to collect fare from 13 passengers. The Disciplinary Authority found him guilty. That finding was challenged by the appellant before the Industrial Tribunal. The Industrial Tribunal found that the charges had been proved against the appellant. The appellant challenged the decision of the Industrial Tribunal before the learned single Judge who declined to interfere with the same. Hence, this appeal.

2. Heard the learned Counsel for the parties. Learned Counsel for the appellant has stated that there were no materials before the Industrial Tribunal to hold that the appellant failed to collect fares from the passengers. However, the Tribunal has held that the fact remained that the appellant did not issue tickets and at the time of inspection 13 passengers were found to be travelling without tickets. Moreover, in this case, punishment of only reduction of pay has been imposed on the appellant.

3. We have considered the facts of this case. We do not find any merit in this appeal. Appeal is accordingly dismissed.

Sd/-

( K.G.Balakrishnan, Actg. C.J.)

Sd/-

19th June, 1998

( J.M.Panchal, J.)

[KMG Thilake]